

On October 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8887. Misbranding of Damiana Compound with Saw Palmetto. U. S. * * * v. 10 Dozen Packages of Damiana Compound with Saw Palmetto. Default decree of condemnation and forfeiture. Product ordered sold or destroyed. (F. & D. No. 13570. I. S. No. 9401-t. S. No. E-2633.)

On August 25, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen packages of Damiana Compound with Saw Palmetto, at Atlanta, Ga., alleging that the article had been shipped on or about June 2, 1920, by the Hollander-Koshland Co., Baltimore, Md., and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled on bottles and cartons: "For use in the treatment of Sexual Weakness * * * Loss of Manhood, Debility, Lack of Virility and Impotency * * * Psychic Impotence, Atonic Impotence, prostatorrhœa * * * Spermatorrhœa;" (additional on carton) "or Impotence * * * Sexual Weakness."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a solution containing damiana extractives, ferric iron, and nux vomica alkaloids.

It was alleged in substance in the libel that the above-quoted statements regarding the curative and therapeutic effects of the article, appearing on the packages and cartons containing the same, falsely and fraudulently represented it to be effective as a remedy, cure, and preventive of sexual weakness, loss of manhood, debility, lack of virility and impotency, psychic impotency, atonic impotence, prostatorrhœa and spermatorrhœa, whereas, in truth and in fact, it was not.

On October 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal after the destruction of the cartons containing the same and the removal of the labels from the bottles containing the product. It was provided, however, by the court, that if the sale could not be effected in such a way as to realize a substantial amount the product should be destroyed by the said marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8888. Adulteration of eggs. U. S. * * * v. 20 Cases of Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 13671. I. S. No. 10153-t. S. No. W-643.)

On or about August 10, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 31, 1920, from Park, Kans., and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "P. Leiker & Sons, Park, Kans.," and shipped by this company.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, of decomposed and rotten eggs, and was unfit for food.

On October 8, 1920, Charles S. Jamison, Denver, Colo., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be delivered to the claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8889. Adulteration of walnuts. U. S. * * * v. 15 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14077. I. S. No. 7616-t. S. No. E-2916.)

On December 15, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 bags of walnuts, remaining in the original unbroken packages at Philadelphia, Pa., consigned by J. Kutsukian & Co., New York, N. Y., alleging that the article had been shipped on or about November 20, 1920, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8890. Adulteration of milk. U. S. * * * v. William G. Richter. Plea of nolo contendere to count 1. Fine, \$75 and costs. Count 2 dismissed. (F. & D. No. 10363. I. S. No. 9334-p.)

On October 9, 1919, the Grand Jurors of the United States within and for the District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment in 2 counts against William G. Richter, Breese, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on September 11, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part, "From W. G. Richter, Station Breese, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was very dirty, and that a part of the butter fat had been abstracted.

Adulteration of the article was charged in the first count of the indictment for the reason that it consisted in part of a filthy animal substance.

On October 20, 1920, the second count of the indictment, charging that butter fat had been abstracted, having been dismissed, the defendant entered a plea of nolo contendere to the first count, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*